IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA SOUTHERN DIVISION

Criminal No. 7:04-CR-63-F-1 Civil No. 7:12-CV-231-F

JOHN LEWIS DILLAHUNT, JR.,)	
Petitioner,)	
)	
v.)	ORDER
)	
UNITED STATES OF AMERICA,)	
Respondent.)	

Having conducted an examination of petitioner's motion pursuant to Rule 4(b) of the Rules Governing § 2255 Proceedings and it appearing that dismissal is not warranted at this time, the United States Attorney is DIRECTED to file an Answer pursuant to Rule 5, Rules Governing § 2255 Proceedings, or to make such other response as appropriate to the above-captioned § 2255 Motion to Vacate, Set Aside or Correct Sentence, within **forty (40)** days of the filing of this order.

SO ORDERED.

This, the 15th day of August, 2012.

JAMES C. FOX

SENIOR UNITED STATES DISTRICT JUDGE